

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Currently amended) A method, ~~in a data processing system,~~ of scaling communication messages in a network of data processing systems, each one of the data processing systems capable of transmitting alert messages to any other one of the data processing systems, the method ~~outputting a communication from a single source to a plurality of recipient devices,~~ comprising:

~~transmitting the communication to the plurality of recipient devices such that the communication is received by the plurality of recipient devices but is output by only a first subset of the plurality of recipient devices, wherein the first subset is less than all of the plurality of recipient devices;~~

~~receiving responses from at least some of the first subset of the plurality of recipient devices;~~

~~determining if a predetermined response requirement is met by the responses received from the at least some of the first subset of the plurality of recipient devices; and~~

~~outputting the communication on a second subset of the plurality of recipient devices if the predetermined response requirement has not been met by the responses received from the at least some of the first subset of the plurality of recipient devices.~~

transmitting an alert message, which requests a reply, from a source one of the data processing systems to a plurality of recipient ones of the data processing systems, the alert message being received by the plurality of recipient ones of the data processing systems;

outputting the alert message by only a first subset of the plurality of recipient ones of the data processing systems, the first subset being fewer than all of the plurality of recipient ones of the data processing systems;

receiving, by the source one of the data processing systems, reply messages transmitted from at least some of the first subset of the plurality of recipient ones of the data processing systems in response to a receipt of the alert message;

determining, by the source one of the data processing systems, if a predetermined number of reply messages has been received from the at least some of the first subset of the plurality of recipient ones of the data processing systems;

in response to determining that the predetermined number of reply messages has not been received, retransmitting the alert message to the plurality of recipient ones of the data processing systems, the retransmitted alert message being received by the plurality of recipient ones of the data processing systems; and

outputting the retransmitted alert message by a second subset of the plurality of recipient ones of the data processing systems.

2. (Currently amended) The method of claim 1, further comprising:  
~~wherein transmitting the communication to the plurality of recipient devices includes~~ assigning a probability to the alert message; and communication, and wherein

determining, by each of the plurality of recipient ones of the data processing systems, devices  
~~determines~~ whether to output the alert message communication based on the probability assigned to the alert message communication.

3. (Canceled)

4. (Currently amended) The method of claim 2 [[3]], further comprising:  
assigning a second probability to the retransmission of the alert message; and  
determining, by each of the plurality of recipient ones of the data processing systems, whether to  
output the retransmission of the alert message based on the second probability assigned to the  
retransmission of the alert message.

~~wherein transmitting the communication to the plurality of recipient devices includes assigning a probability to the communication and each of the plurality of recipient devices determines whether to output the communication based on the probability assigned to the communication, and wherein retransmitting the communication to the plurality of recipient devices includes retransmitting the communication with a different probability than the probability that was assigned to the communication.~~

5. (Currently amended) The method of claim 1, wherein the alert message communication is one of an instant message and an electronic mail message.

6. (Currently amended) The method of claim 1, wherein the alert message communication is one of a PollCast and a SkillTap message.

7. (Currently amended) The method of claim 1, further comprising ~~wherein outputting the communication on a second subset of the plurality of recipient devices includes,~~ within each recipient device:

storing the alert message communication in a storage device;

determining if a predetermined amount of time has elapsed since a previous determination was made about whether to output the alert message communication has been made;

determining whether to output the alert message communication based on output criteria; and  
outputting the alert message communication if the output criteria is satisfied.

8-9. (Canceled)

10. (Currently amended) The method of claim 2, further comprising: wherein  
each of the plurality of recipient ones of the data processing systems determining devices  
determines whether to output the alert message communication based on the probability by generating a  
randomized value and comparing the randomized value to the probability to determine whether to output  
the communication.

11. (Currently amended) A system for scaling communication messages in a network of  
communicating peer data processing systems, each one of the data processing systems capable of  
transmitting alert messages to any other of the data processing systems for outputting a communication  
from a single source to a plurality of recipient devices, comprising:

a source one of the data processing systems transmitting an alert message, which requests a reply,  
to a plurality of recipient ones of the data processing systems, the alert message being received by the  
plurality of recipient ones of the data processing systems;

only a first subset of the plurality of recipient ones of the data processing systems outputting the  
alert message, the first subset being fewer than all of the plurality of recipient ones of the data processing  
systems;

the source one of the data processing systems receiving reply messages transmitted from at least  
some of the first subset of the plurality of recipient ones of the data processing systems in response to a  
receipt of the alert message;

the source one of the data processing systems determining if a predetermined number of reply  
messages has been received from the at least some of the first subset of the plurality of recipient ones of  
the data processing systems;

in response to determining that the predetermined number of reply messages has not been  
received, the source one of the data processing systems retransmitting the alert message to the plurality of  
recipient ones of the data processing systems, the retransmitted alert message being received by the  
plurality of recipient ones of the data processing systems; and

a second subset of the plurality of recipient ones of the data processing systems outputting the retransmitted alert message.

~~at least one network;~~

~~a communications server coupled to the at least one network; and~~

~~a plurality of recipient devices coupled to the at least one network, wherein the communications server transmits the communication to the plurality of recipient devices such that the communication is received by the plurality of recipient devices but is output by only a first subset of the plurality of recipient devices, wherein the first subset is less than all of the plurality of recipient devices, receives responses from at least some of the first subset of the plurality of recipient devices, determines if a predetermined response requirement is met by the responses received from the at least some of the first subset of the plurality of recipient devices, and wherein, if the predetermined response requirement has not been met by the responses received from the at least some of the first subset of the plurality of recipient devices, the communication is output on a second subset of the plurality of recipient devices.~~

12. (Currently amended) The system of claim 11, wherein the source one of the data processing systems ~~communications~~ server assigns a probability to the alert message ~~communication~~, and wherein each of the plurality of recipient ones of the data processing systems ~~devices~~ determines whether to output the alert message ~~communication~~ based on the probability assigned to the alert message ~~communication~~.

13. (Canceled)

14. (Currently amended) The system of claim 13, wherein the source one of the data processing systems ~~assigns a second probability to the retransmission of the alert message; and determines whether to output the retransmission of the alert message based on the second probability assigned to the retransmission of the alert message.~~

~~communications server assigns a first probability to the communication and each of the plurality of recipient devices determines whether to output the communication based on the first probability assigned to the communication, and wherein the communications server assigns a second probability different from the first probability prior to retransmitting the communication to the plurality of recipient devices.~~

15. (Currently amended) The system of claim 11, wherein the alert message ~~communication~~ is one of an instant message and an electronic mail message.

16. (Currently amended) The system of claim 11, wherein the alert message communication is one of a PollCast and a SkillTap message.

17. (Currently amended) The system of claim 11, wherein each recipient one of the data processing systems device stores the alert message communication in a temporary storage, determines if a predetermined amount of time has elapsed since a previous determination was made about whether to output the alert message communication has been made, determines whether to output the alert message communication based on output criteria, and outputs the alert message communication if the output criteria is satisfied.

18-19. (Canceled)

20. (Original) A method of distributing messages to a plurality of client devices in a network, comprising:

- receiving a message for broadcast to a plurality of client devices;
- assigning a probability value to the message;
- transmitting the message to the plurality of client devices;
- at each client device, generating a randomized value;
- comparing the randomized value of a client device to the probability value of the message; and
- outputting the message based on the comparison of randomized value and the probability value.

21. (New) The method according to claim 2, further comprising the probability being determined using a random number generator.

22. (New) The method according to claim 2, further comprising the probability being based on a total number of the plurality of recipient ones of the data processing systems.

23. (New) The method according to claim 2, further comprising increasing the probability when the alert message is retransmitted.